

1-1 By: Romero, Jr. (Senate Sponsor - Huffman) H.B. No. 1630
 1-2 (In the Senate - Received from the House May 14, 2015;
 1-3 May 15, 2015, read first time and referred to Committee on State
 1-4 Affairs; May 22, 2015, reported favorably by the following vote:
 1-5 Yeas 8, Nays 1; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13		X		
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to certain limitations on settlement agreements with a
 1-20 governmental unit.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Title 5, Civil Practice and Remedies Code, is
 1-23 amended by adding Chapter 116 to read as follows:

1-24 CHAPTER 116. LIMITATION ON SETTLEMENT OF CLAIM OR ACTION AGAINST A
 1-25 GOVERNMENTAL UNIT

1-26 Sec. 116.001. CERTAIN LIMITATIONS ON SETTLEMENT BY A
 1-27 GOVERNMENTAL UNIT. (a) In this chapter, "governmental unit" has
 1-28 the meaning assigned by Section 101.001.

1-29 (b) A state or local governmental unit may not enter into a
 1-30 settlement of a claim or action against the governmental unit in
 1-31 which:

1-32 (1) the amount of the settlement is equal to or greater
 1-33 than \$30,000; and

1-34 (2) a condition of the settlement requires a party
 1-35 seeking affirmative relief against the governmental unit to agree
 1-36 not to disclose any fact, allegation, evidence, or other matter to
 1-37 any other person, including a journalist or other member of the
 1-38 media.

1-39 (c) A governmental unit may not disclose the personal
 1-40 information of a party seeking affirmative relief unless the party
 1-41 agrees to the disclosure.

1-42 (d) A provision in a settlement agreement that is in
 1-43 violation of Subsection (b)(2) is void and unenforceable.

1-44 (e) This chapter does not affect information that is
 1-45 privileged or confidential under other law.

1-46 (f) Evidence of furnishing or offering or promising to
 1-47 furnish or accepting or offering or promising to accept, a valuable
 1-48 consideration in compromising or attempting to compromise a claim
 1-49 against a governmental unit which was disputed as to either
 1-50 validity or amount is not admissible to prove liability for or
 1-51 invalidity of the claim or its amount. Evidence of conduct or
 1-52 statements made in compromise negotiations is likewise not
 1-53 admissible. This section does not require the exclusion of any
 1-54 evidence otherwise discoverable merely because it is presented in
 1-55 the course of compromise negotiations. This section also does not
 1-56 require exclusion when the evidence is offered for another purpose,
 1-57 such as proving bias or prejudice or interest of a witness or a
 1-58 party, negating a contention of undue delay, or proving an effort
 1-59 to obstruct a criminal investigation or prosecution.

1-60 SECTION 2. The change in law made by this Act applies to the
 1-61 settlement of a claim or action with respect to which the cause of

2-1 action on which the claim or action is based accrues on or after the
2-2 effective date of this Act. A claim or action with respect to which
2-3 the cause of action on which the claim or action is based accrues
2-4 before the effective date of this Act is governed by the law in
2-5 effect immediately before that date, and that law is continued in
2-6 effect for that purpose.

2-7 SECTION 3. This Act takes effect September 1, 2015.

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